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Air Pollution Regulations in State Implementation Plans: California, Santa Barbara County

Abcor, Inc, Wilmington, MA Walden Div

Prepared for

Environmental Protection Agency, Research Triangle Park, NC Control Programs Development Div

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This document has been produced in compliance with Section 110(h)(1) of the Clean Air Act amendments of 1977. The Federally enforceable regulations contained in the State Implementation Plans (SIPs) have been compiled for all 56 States and territories (with the exception of the Northern Mariana Islands). They consist of both the Federally approved State and/or local air quality regulations as indicated in the Federal Register and the Federally promulgated regulations for the State, as indicated in the Federal Register. Regulations which fall into one of the above categories as of January 1, 1978, have been incorporated. As mandated by Congress, this document will be updated annually. State and/or local air quality regulations which have not been Federally approved as of January 1, 1978, are not included here; omission of these regulations from this document in no way affects the ability of the respective Federal, State, or local agencies to enforce such regulations.

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Air Pollution Regulations in State Implementation Plans:

California

Santa Barbara County

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Air Pollution Regulations in State Implementation Plans:

California

Santa Barbara County

by

Walden Division of Abcor, Inc.
Wilmington, Massachusetts

Contract No. 68-02-2890

EPA Project Officer: Bob Schell

Prepared for

U.S. ENVIRONMENTAL PROTECTION AGENCY
Office of Air, Noise, and Radiation
Office of Air Quality Planning and Standards
Research Triangle Park, North Carolina 27711

August 1978

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Publication No. EPA-450/3-78-054-35

INTRODUCTION

This document has been produced in compliance with Section 110(h)(1) of the Clean Air Act Amendments of 1977. The Federally enforceable regulations contained in the State Implementation Plans (SIPs) have been compiled for all 56 States and territories (with the exception of the Northern Mariana Islands). They consist of both the Federally approved State and/or local air quality regulations as indicated in the Federal Register and the Federally promulgated regulations for the State, as indicated in the Federal Register. Regulations which fall into one of the above categories as of January 1, 1978, have been incorporated. As mandated by Congress, this document will be updated annually. State and/or local air quality regulations which have not been Federally approved as of January 1, 1978, are not included here; omission of these regulations from this document in no way affects the ability of the respective Federal, State, or local agencies to enforce such regulations.

There have been recent changes in the Federal enforceability of parking management regulations and indirect source regulations. The October, 1977, appropriation bill for EPA prohibited Federal enforcement of parking management regulations in the absence of specific Federal authorizing legislation. Federally promulgated parking management regulations have, therefore, been suspended indefinitely. Pursuant to the 1977 Clean Air Act Amendments, indirect source regulations may not be required for the approval of a given SIP. Consequently, any State adopted indirect source regulations may be suspended or revoked; State adopted indirect source regulations contained in an applicable SIP are Federally enforceable. More importantly, EPA may only promulgate indirect source review regulations which are specific to Federally funded, operated, or owned facilities or projects. Therefore, the Federally promulgated indirect source regulations appearing in this document are not enforceable by EPA except as they relate to Federal facilities.

Since State air quality regulations vary widely in their organization, content, and language, a standardized subject index is utilized in this document. Index listings consist of both contaminant and activity oriented categories to facilitate usage. For example, for regulations which apply to copper smelters, one might look under sulfur compounds (50.2), particulate matter process weight (50.1.1), or copper smelters (51.15). Federal regulations pertaining to a given State immediately follow the approved State and local regulations.

Additionally, a summary sheet of the information included in each comprehensive document is presented prior to the regulatory text to allow one to quickly assess the contents of the document. Specifically, the summary sheets contain the date of submittal to EPA of each revision

to the SIP and the date of the Federal Register in which the revision was either approved or disapproved by EPA. Finally, a brief description or reference of the regulation which was submitted is also included.

This document is not intended to provide a tool for determining the enforceability of any given regulation. As stated above, it is intended to provide a comprehensive compilation of those regulations which are incorporated directly or by reference into Title 40, Part 52, of the Code of Federal Regulations. Consequently, the exclusion of a Federally approved regulation from this document does not diminish the enforceability of the regulation. Similarly, the inclusion of a given regulation (for example, regulations governing pollutants, such as odors, for which there is no national ambient air quality standards) in this document does not, in itself, render the regulation enforceable.

SUMMARY SHEET

OF

EPA-APPROVED REGULATION CHANGES

SANTA BARBARA COUNTY (APCD)

Submittal Date	Approval Date	Description
6/30/72	9/22/72	All Regulations unless otherwise specified
4/21/76	7/26/77	Rule 35.1
11/10/76	7/26/77	Rule 35.2

DOCUMENTATION OF CURRENT EPA-APPROVED
STATE AIR POLLUTION REGULATIONS

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2.0 GENERAL PROVISIONS AND ADMINISTRATIVE PROCEDURES

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7.0 EQUIPMENT MALFUNCTION AND MAINTENANCE

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51.5 FUEL BURNING EQUIPMENT (coal, natural gas, oil) - Particulates (includes Fuel Content and Other Related Topics)

51.6 FUEL BURNING EQUIPMENT (coal, natural gas, oil) - SO_2 (includes Fuel Content and Other Related Topics)

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51.15 PETROLEUM REFINERIES

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REGULATION I

General Provisions

(2.0) RULE 1. TITLE; COMPLIANCE BY EXISTING INSTALLATIONS; CONFLICTS.

These rules and regulations shall be known as the rules of the Air Pollution Control District and become operative on January 1, 1972.

The existing articles, machines, equipment or other contrivances which, on the effective date of these rules and regulations do not conform to all requirements thereof, shall be forthwith brought into strict conformity with these rules and regulations, provided, however, that the Hearing Board may grant variances to applicants upon application therefor as provided in Rule 46 and payment of the fee provided for in Rule 14, and subject and pursuant to all applicable Federal and State laws, specifically Articles 5 and 6 or Chapter 2 or Division 20 of the Health and Safety Code of California (Section 24291 and 24323, both inclusive) and any amendments and successors thereto. In the event of any conflict between these rules and regulations and Federal and State rules and regulations, the Federal or State rules and regulations shall prevail over these rules and regulations.

(1.0) RULE 2. DEFINITIONS.

Except as otherwise specifically provided in these rules and except where the context otherwise indicates, words used in these rules are used in exactly the same sense as the same words are used in Chapter 2, Division 20 of the Health and Safety Code.

(a) Agricultural Burning. "Agricultural Burning" means open outdoor fires used in agricultural operations, in the growing of crops or raising of fowls or animals, forest management or range improvement.

(b) Agricultural Wastes. "Agricultural Wastes" are defined as unwanted or unsaleable materials produced wholly from agricultural operations, other than forest or range management operations, directly related to the growing of crops or animals for the primary purpose of making a profit or for a livelihood.

(c) Atmosphere. "Atmosphere" means the air that envelops or surrounds the earth. Where air pollutants are emitted into a building not designed specifically as a piece of air pollution control equipment, such emission into the building shall be considered an emission into the atmosphere.

(d) Board. "Board" means the Air Pollution Control Board of the Air Pollution Control District of Santa Barbara County.

(e) Burn Day. "Burn Day" means any day on which the Air Resources Board or the Air Pollution Control District does not prohibit burning of agricultural wastes.

(f) Combustible Refuse. "Combustible Refuse" is any solid or liquid combustible waste material containing carbon in a free or combined state.

(g) Combustion Contaminants. "Combustion Contaminants" are particulate matter discharged into the atmosphere from the burning of any kind of material containing carbon in a free or combined state.

(h) Condensed Fumes. "Condensed Fumes" are minute solid particles generated by the condensation of vapors from solid matter after volatization from the molten state, or may be generated by sublimation, distillation, calcination, or chemical reaction, when these processes create air-borne particles.

(i) Dusts. "Dusts" are minute solid particles released into the air by natural forces or by mechanical processes such as crushing, grinding, milling, drilling, demolishing, shoveling, conveying, covering, bagging, sweeping, etc.

(j) Effluent Oil Water Separators. "Effluent Oil Water Separators" means any tank, box, sump, or other container in which any petroleum or product thereof, floating on or entrained or contained in water entering such tank, box, sump or other container, is physically separated and removed from such water prior to outfall, drainage or recovery of such water.

(k) Hearing Board. "Hearing Board" means the Hearing Board provided for in Section 24225 of the Health and Safety Code as appointed by the Air Pollution Control Board of Santa Barbara County.

(l) Multiple-Chamber Incinerator. "Multiple-Chamber Incinerator" is any article, machine, equipment, contrivance, structure or part of a structure, used to dispose of combustible refuse by burning, consisting of three or more refractory lined combustion furnaces in series, physically separated by refractory walls, interconnected by gas passage ports or ducts and employing adequate design parameters necessary for maximum combustion of the material to be burned. The refractories shall have a Pyrometric Cone Equivalent of at least 17, tested according to the method described in the American Society for Testing Materials, Method C-24.

(m) No Burn Day. A "No Burn Day" means any day on which the Air Resources Board or the Air Pollution Control District prohibits burning of agricultural wastes.

(n) Particulate Matter. "Particulate Matter" is any material, except uncombined water, which exists in a finely divided form as a liquid or solid at standard conditions.

(o) Person. "Person" means any person, firm, association, organization, partnership, business trust, corporation, company, contractor, supplier, installer, user or owner, or any state or local governmental agency or public district or any officer or employee thereof.

(p) Process Weight Per Hour. "Process Weight" is the total weight of all materials introduced into any specific process which process may cause any discharge into the atmosphere. Solid fuels charged will be considered as part of the process weight, but liquid and gaseous fuels and combustion air will not. "The Process Weight Per Hour" will be derived by dividing the total process weight by the number of hours in one complete operation from the beginning of any given process to the completion thereof, excluding any time during which the equipment is idle.

(q) Regulation. "Regulation" means one of the major subdivisions of the Rules of the Air Pollution Control District of Santa Barbara County.

(r) Rule. "Rule" means a rule of the Air Pollution Control District of Santa Barbara County.

(s) Section. "Section" means section of the Health and Safety Code of the State of California unless some other statute is specifically mentioned.

(t) South Central Coast Basin. "South Central Coast Basin" is defined as that portion of Santa Barbara County described in Section 60103 (b) of Title 17 of the California Administrative Code.

(u) South Coast Basin. "South Coast Basin" is defined as that portion of Santa Barbara County described in Section 60104 (c) of Title 17 of the California Administrative Code.

(2.0) RULE 3. STANDARD CONDITIONS.

Standard conditions are a gas temperature of 60 degrees Fahrenheit and a gas pressure of 14.7 pounds per square inch absolute. Results of all analyses and tests shall be calculated or reported at this gas temperature and pressure.

REGULATION II

Permits

(3.0) RULE 4. PERMITS REQUIRED.

(a) Authority to Construct. Any person building, erecting, altering or replacing any article, machine, equipment or other contrivance, the use of which may cause the issuance of air contaminants or the use of which may eliminate or reduce or control the issuance of air contaminants, shall first obtain authorization for such construction from the Air Pollution Control Officer. Any Authority to Construct shall remain in effect until the permit to operate the equipment for which the application was filed is granted or denied or the application is cancelled.

(b) Permit to Operate. Before any article, machine, equipment or other contrivance described in Rule 4(a) may be operated or used, a written permit shall be obtained from the Air Pollution Control Officer. No permit to operate or use shall be granted either by the Air Pollution Control Officer or the Hearing Board for any article, machine, equipment or contrivance described in Rule 4(a), constructed or installed without authorization as required by Rule 4(a), until the information required is presented to the Air Pollution Control Officer and such article, machine, equipment or contrivance is altered, if necessary, and made to conform to the standards set forth in Rule 9 and elsewhere in these Rules and Regulations.

(c) Notification to Building Officials, etc. It shall be the duty of the Air Pollution Control Officer to notify the building department or division of every governmental agency within the district boundaries that every applicant for a building, alteration or other permit which involves any article, machine, equipment or other contrivance, the use of which may eliminate, reduce or control the issuance of air contaminants will be required under these rules to obtain an "Authority to Construct" before commencing construction of any such article, machine, equipment or other contrivance, and will further be required thereafter to conform to these rules in such operation. The Air Pollution Control Officer shall further request that each such building department or division shall not issue a building, alteration, moving or other permit unless and until notified, in writing, by the Air Pollution Control Officer that the applicant or an agent or representative thereof has been given a copy of these rules and any current amendments, modifications and additions thereto, has been informed of the standards to be met and of the necessity for an Authority to Construct under these rules, and has signed a receipt for a copy of these rules, and a statement that he understands the standards to be met and that he must obtain an Authority to Construct

before commencing operations, on a form to be prescribed by the Air Pollution Control Officer, with a copy thereof delivered to the applicant or agent or representative thereof.

(d) Posting of Permit to Operate. A person who has been granted under Rule 4 a permit to operate any article, machine, equipment, or other contrivance described in Rule 4(b), shall firmly affix such permit to operate, an approved facsimile, or other approved identification bearing the permit number upon the article, machine, equipment, or other contrivance in such a manner as to be clearly visible and accessible. In the event that the article, machine, equipment, or other contrivance is so constructed or operated that the permit to operate cannot be so placed, the permit to operate shall be mounted so as to be clearly visible in an accessible place within 25 feet of the article, machine, equipment, or other contrivance, or maintained readily available at all times on the operating premises.

(e) Defacing, etc., a Permit to Operate. No person shall deface, alter, forge, counterfeit, or falsify a permit or facsimile thereof or identification to operate any article, machine, equipment or other contrivance issued or mounted or displayed pursuant to the provisions of the Rule 4.

(f) Permit to Sell or Rent. Any person who sells or rents to another person an incinerator which may be used to dispose of combustible refuse by burning within the South Coast Basin or South Central Coast Basin and which incinerator is to be used exclusively in connection with any structure, which structure is designed for and used exclusively as a dwelling for not more than four families shall first obtain a permit from the Air Pollution Control Officer to sell or rent such incinerator.

(g) Particular Controls Not Required. The Air Pollution Control Officer may not demand any particular control so long as the emission standards may be met otherwise.

(2.0) RULE 5. EXEMPTIONS.

A permit to operate shall not be required for:

(a) Vehicles as defined by the Vehicle Code of the State of California but not including any article, machine, equipment or other contrivance mounted on such vehicle that would otherwise require a permit under the provisions of these rules and regulations.

(b) Vehicles used to transport passengers or freight.

(c) Equipment utilized exclusively in connection with any structure, which structure is designed for and used exclusively as a dwelling for not more than four families.

(d) The following equipment:

(1) Comfort air conditioning or comfort ventilating systems which are not designed to remove air contaminants generated by or released from specific units or equipment.

(2) Refrigeration units except those used as, or in conjunction with, air pollution control equipment.

(3) Piston type internal combustion engines.

(4) Water cooling towers and water cooling ponds not used for evaporative cooling of process water or not used for evaporative cooling of water from barometric jets or from barometric condensers.

(5) Equipment used exclusively for steam cleaning.

(6) Presses used exclusively for extruding metals, minerals, plastics or wood.

(7) Porcelain enameling furnaces, porcelain enameling drying ovens, vitreous enameling furnaces or vitreous enameling drying ovens.

(8) Presses used for the curing of rubber products and plastic products.

(9) Equipment used exclusively for space heating, other than boilers.

(10) Equipment used for hydraulic or hydrostatic testing.

(11) All sheet-fed printing presses; and all other printing presses without driers.

(12) Tanks, vessels and pumping equipment used exclusively for the storage or dispensing of fresh commercial or purer grades of:

(a) Sulfuric acid with an acid strength of 99 per cent or less by weight.

(b) Phosphoric acid with an acid strength of 99 per cent or less by weight.

(c) Nitric acid with an acid strength of 70 per cent or less by weight.

(13) Ovens used exclusively for the curing of plastics which are concurrently being vacuum held to a mold or for the softening or annealing of plastics.

(14) Equipment used exclusively for the dyeing or stripping (bleaching) of textiles where no organic solvents, diluents or thinners are used.

(15) Equipment used exclusively to mill or grind coatings and molding compounds where all materials charged are in a paste form.

(16) Crucible type or pot type furnaces with a brimful capacity of less than 450 cubic inches of any molten metal.

(17) Equipment used exclusively for the melting or applying of wax where no organic solvents, diluents or thinners are used.

(18) Equipment used exclusively for bonding lining to brake shoes.

(19) Lint traps used exclusively in conjunction with dry cleaning tumblers.

(20) Equipment used in eating establishments for the purpose of preparing food for human consumption.

(21) Equipment used exclusively to compress or hold dry natural gas.

(22) Tumblers used for the cleaning or deburring of metal products without abrasive blasting.

(23) Shell core and shell-mold manufacturing machines.

(24) Molds used for the casting of metals.

(25) Abrasive blast cabinet-dust filter integral combination units where the total internal volume of the blast section is 50 cubic feet or less.

(26) Batch mixers of 5 cubic feet rated working capacity or less.

(27) Equipment used exclusively for the packaging of lubricants or greases.

(28) Equipment used exclusively for the manufacture of water emulsions of asphalt, greases, oils or waxes.

(29) Ovens used exclusively for the curing of vinyl plastisols by the closed mold curing process.

(30) Equipment used exclusively for conveying and storing plastic pellets.

(31) Equipment used exclusively for the mixing and blending of materials at ambient temperature to make water based adhesives.

(32) Smokehouses in which the maximum horizontal inside cross-sectional area does not exceed 20 square feet.

(33) Platen presses used for laminating.

(e) The following equipment or any exhaust system or collector serving exclusively such equipment:

(1) Blast cleaning equipment using a suspension of abrasive in water.

(2) Ovens, mixers and blenders used in bakeries where the products are edible and intended for human consumption.

(3) Kilns used for firing ceramic ware, heated exclusively by natural gas, liquefied petroleum gas, electricity or any combination thereof.

(4) Laboratory equipment used exclusively for chemical or physical analyses and bench scale laboratory equipment.

(5) Equipment used for inspection of metal products.

(6) Confection cookers where the products are edible and intended for human consumption.

(7) Equipment used exclusively for forging, pressing, rolling or drawing of metals or for heating metals immediately prior to forging, pressing, rolling or drawing.

(8) Die casting machines.

(9) Atmosphere generators used in connection with metal heat treating processes.

(10) Photographic process equipment by which an image is reproduced upon material sensitized to radiant energy.

(11) Brazing, soldering or welding equipment.

(12) Equipment used exclusively for the sintering of glass or metals.

(13) Equipment used for buffing (except automatic or semi-automatic tire buffers) or polishing, carving, cutting, drilling, machining, routing, sanding, sawing, surface grinding or turning of ceramic artwork, ceramic precision parts, leather, metals, plastics, rubber, fiberboard, masonry, asbestos, carbon or graphite.

(14) Equipment used for carving, cutting, drilling, surface grinding, planing, routing, sanding, sawing, shredding or turning of wood, or the pressing or storing of sawdust, wood chips or wood shavings.

(15) Equipment using aqueous solutions for surface preparation, cleaning, stripping, etching (does not include chemical milling) or the electrolytic plating with electrolytic polishing of, or the electrolytic stripping of brass, bronze, cadmium, copper, iron, lead, nickel, tin, zinc, and precious metals.

(16) Equipment used for washing or drying products fabricated from metal or glass, provided that no volatile organic materials are used in the process and that no oil or solid fuel is burned.

(17) Laundry dryers, extractors or tumblers used for fabrics cleaned only with water solutions of bleach or detergents.

(18) Foundry sand mold forming equipment to which no heat is applied.

(19) Ovens used exclusively for curing potting materials or castings made with epoxy resins.

(20) Equipment used to liquefy or separate oxygen, nitrogen or the rare gases from the air.

(21) Equipment used for compression molding and injection molding of plastics.

(22) Mixers for rubber or plastics where no material in powder form is added and no organic solvents, diluents or thinners are used.

(23) Equipment used exclusively to package pharmaceuticals and cosmetics or to coat pharmaceutical tablets.

(24) Roll mills or calenders for rubber or plastics where no organic solvents, diluents or thinners are used.

(25) Equipment used exclusively to grind, blend or package tea, cocoa, spices or roasted coffee.

(26) Vacuum producing devices used in laboratory operations or in connection with other equipment which is exempt by Rule 5.

(f) Steam generators, steam superheaters, water boilers, water heaters, and closed heat transfer systems that have a maximum heat input rate or less than 250,000,000 British Thermal Units (BTU) per hour (gross), and are fired exclusively with one of the following:

(1) Natural gas.

(2) Liquefied petroleum gas.

(3) A combination of natural gas and liquefied petroleum gas.

(g) Natural draft hoods, natural draft stacks or natural draft ventilators.

(h) Containers, reservoirs, or tanks used exclusively for:

(1) Dipping operations for coating objects with oils, waxes or greases where no organic solvents, diluents or thinners are used.

(2) Dipping operations for applying coatings of natural or synthetic resins which contain no organic solvents.

(3) Storage of liquefied gases.

(4) Unheated storage of organic materials with an initial boiling point of 300°F. or greater.

(5) The storage of fuel oils with a gravity of 25° API or lower.

(6) The storage of lubricating oils.

(7) The storage of fuel oils with a gravity of 40° API or lower and having a capacity of 10,000 gallons or less.

(8) The storage of organic liquids, except gasoline, normally used as solvents, diluents or thinners, inks, colorants, paints, lacquers, enamels, varnishes, liquid resins or other surface coatings, and having a capacity of 6,000 gallons or less.

(9) The storage of liquid soaps, liquid detergents, vegetable oils, waxes or wax emulsions.

(10) The storage of asphalt.

(11) Unheated solvent dispensing containers, unheated non-conveyorized solvent rinsing containers or unheated non-conveyorized coating dip tanks of 100 gallons capacity or less.

(12) The storage of gasoline having a capacity of less than 250 gallons.

(13) Transporting materials on streets or highways.

(i) Equipment used exclusively for heat treating glass or metals, or used exclusively for case hardening, carburizing, cyaniding, nitriding, carbonitriding, siliconizing or diffusion treating of metal objects.

(j) Crucible furnaces, pot furnaces or induction furnaces, with a capacity of 1000 pounds or less each, in which no sweating or distilling is conducted and from which only the following metals are poured or in which only the following metals are held in a molten state:

(1) Aluminum or any alloy containing over 50 per cent aluminum.

(2) Magnesium or any alloy containing over 50 per cent magnesium.

(3) Lead or any alloy containing over 50 per cent lead.

(4) Tin or any alloy containing over 50 per cent tin.

(5) Zinc or any alloy containing over 50 per cent zinc.

(6) Copper.

(7) Precious metals.

(k) Vacuum cleaning systems used exclusively for industrial, commercial or residential housekeeping purposes.

(l) Structural changes which cannot change the quality, nature or quantity of air contaminant emissions.

(m) Repairs or maintenance not involving structural changes to any equipment for which a permit has been granted.

(n) Identical replacements in whole or in part of any article, machine, equipment or other contrivance where a permit to operate had previously been granted for such equipment under Rule 4.

(2.0) RULE 6. TRANSFER.

A permit to operate or permit to sell or rent shall not be transferable, whether by operation of law or otherwise, either from one location to another, from one piece of equipment to another, or from one person to another.

(3.0) RULE 7. APPLICATIONS.

Every application for a permit to operate or permit to sell or rent required under Rule 4 shall be filed in the manner and form prescribed by the Air Pollution Control Officer, and shall give all the information necessary to enable the Air Pollution Control Officer to make the determination required by Rule 9 hereof.

(9.0) RULE 8. PROVISION OF SAMPLING AND TESTING FACILITIES.

A person operating or using any article, machine, equipment or other contrivance for which these rules require a permit shall provide and maintain such sampling and testing facilities as specified in the permit to operate.

(3.0) RULE 9. STANDARDS FOR GRANTING APPLICATIONS.

(a) The Air Pollution Control Officer shall deny a permit to operate or permit to sell or rent, except as provided in Rule 10, if the applicant does not show that every article, machine, equipment or other contrivance, the use of which may cause the issuance of air contaminants, or the use of which may eliminate or reduce or control the issuance of air contaminants, is so designed, controlled, or equipped with such air pollution control equipment, that it may be expected to operate without emitting or without causing to be emitted air contaminants in violation of Section 24242 or 24243, Health and Safety Code, or of these rules and regulations.

(b) Before a permit to operate is granted, the Air Pollution Control Officer may require the applicant to provide and maintain such facilities as are necessary for sampling and testing purposes in order to secure information that will disclose the nature, extent, quantity or degree of air contaminants discharged into the atmosphere from the article, machine, equipment or other contrivance described in the permit to operate. In the event of such a requirement, the Air Pollution Control Officer shall notify the applicant in writing of the required size, number and location of sampling holes; the size and location of the sampling platform; the access to the sampling platform; and the utilities for operating the sampling and testing equipment. The platform and access shall be constructed in accordance with the General Industry Safety Orders of the State of California.

(3.0) RULE 10. CONDITIONAL APPROVAL.

(a) The Air Pollution Control Officer may issue a permit to operate, subject to conditions which will bring the operation of any article, machine, equipment or other contrivance within the standards of Rule 9, in which case the conditions shall be specified in writing.

Commencing operation under such a permit to operate shall be deemed acceptance of all the conditions so specified. The Air Pollution Control Officer shall issue a permit to operate with revised conditions upon receipt of a new application, if the applicant demonstrates that the article, machine, equipment or other contrivance can operate within the standards of Rule 9 under the revised conditions.

(b) The Air Pollution Control Officer may issue a permit to sell or rent, subject to conditions which will bring the operation of any article, machine, equipment or other contrivance within the standards of Rule 9, in which case the conditions shall be specified in writing. Selling or renting under such a permit to sell or rent shall be deemed acceptance of all the conditions so specified. The Air Pollution Control Officer shall issue a permit to sell or rent with revised conditions upon receipt of a new application, if the applicant demonstrates that the article, machine, equipment or other contrivance can operate within the standards of Rule 9 under the revised conditions.

(3.0) RULE 11. DENIAL OF APPLICATIONS.

In the event of denial of a permit to operate or permit to sell or rent, the Air Pollution Control Officer shall notify the applicant in writing of the reasons therefor. Service of this notification may be made in person or by mail, and such service may be proved by the written acknowledgment of the persons served or affidavit of the person making the service. The Air Pollution Control Officer shall not accept a further application unless the applicant has complied with the objections specified by the Air Pollution Control Officer as his reasons for denial of the permit to operate or the permit to sell or rent.

(2.0) RULE 12. ACTION ON APPLICATIONS--TIME LIMITS.

The Air Pollution Control Officer shall act within 30 days from receipt thereof on each application or a permit to operate, sell, or rent and shall notify the applicant in writing of his approval, conditional approval or denial. The Air Pollution Control Officer may at any time request further information, plans or specifications from the applicant. The 30 day time limit may be extended by written agreement executed by the Air Pollution Control Officer and the applicant. If the Air Pollution Control Officer shall fail to act within the said 30 days, or any extension therof by written agreement, the applicant may at his option deem the application denied for the purpose of appeal.

(3.0) RULE 13. APPEALS.

Within 10 days after notice, by the Air Pollution Control Officer, of denial or conditional approval of a permit to operate or permit to sell

or rent, the applicant may petition the Hearing Board, in writing, for a public hearing. The Hearing Board, after notice and a public hearing held within 30 days after filing the petition, may sustain or reverse the action of the Air Pollution Control Officer; such order may be made subject to specified conditions.

(2.0) RULE 14 FEES.

All fees for permits to operate and other fees provided for in these rules and regulations shall be adopted by resolution of the Board of Supervisors of the County of Santa Barbara, which resolution shall set such fees in reasonable amounts based as much as possible on the cost of the services performed for which such fee is charged.

(13.0) RULE 15 TECHNICAL REPORTS - CHARGES FOR.

Information, circulars, reports of technical work, and other reports prepared by the Air Pollution Control District when supplied to other governmental agencies or individuals or groups requesting copies of the same may be charged for by the District in a sum not to exceed the cost of preparation and distribution of such documents. All such monies collected shall be turned into the general funds of the said District.

REGULATION III

Prohibitions

(50.1.2) RULE 16. RINGELMANN CHART.

A person shall not discharge into the atmosphere from any single source of emission whatsoever any air contaminants for a period or periods aggregating more than three minutes in any one hour which is:

(a) As dark or darker in shade as that designated as No.1 on the Ringelmann Chart, as published by the United States Bureau of Mines, or

(b) Of such opacity as to obscure an observer's view to a degree equal to or greater than does smoke described in subsection (a) of this Rule.

(50.7) RULE 17. NUISANCE.

A person shall not discharge from any source whatsoever such quantities of air contaninants or other material which cause injury, detriment, nuisance or annoyance to any considerable number of persons or to the public or which endanger the comfort, repose, health or safety to any such persons or the public or which cause or have a natural tendency to cause injury or damage to business or property.

(50.1) RULE 18. PARTICULATE MATTER.

Except as otherwise provided in Rule 19 and 20, a person shall not discharge into the atmosphere from any source particulate matter in excess of 0.3 grain per cubic foot of gas at standard conditions.

RULE 18-A. PARTICULATE MATTER CONCENTRATION - SOUTH COAST AIR BASIN.

A person shall not discharge into the atmosphere from any source, particulate matter in excess of the concentration shown in the following table: (See Rule 18-A Table.)

Where the volume discharged falls between figures listed in the table, the exact concentration permitted to be discharged shall be determined by linear interpolation.

The provisions of this rule shall not apply to emissions resulting from the combustion of liquid or gaseous fuels in steam generators or gas turbines.

For the purposes of this rule particulate matter includes any material which would become particulate matter if cooled to standard conditions.

This Rule is to become effective in the South Coast Air Basin on June 1, 1972 for all sources which are not either in operation or under construction prior to that date, and Rule 18 shall not be applicable to such sources in the South Coast Air Basin on or after that date. This Rule is to become effective for all other sources in the South Coast Air Basin on January 1, 1973, and Rule 18 shall not be applicable in the South Coast Air Basin on or after that date.

TABLE FOR RULE 18-A SOUTH COAST AIR BASIN

VOLUME DISCHARGED-CUBIC FEET PER MINUTE CALCULATED AS DRY GAS AT STANDARD CONDITIONS	MAXIMUM CONCENTRATION OF PARTICULATE MATTER ALLOWED IN DISCHARGED GAS--GRAINS PER CUBIC FOOT OF DRY GAS AT STANDARD CONDITIONS.	VOLUME DISCHARGED-CUBIC FEET PER MINUTE CALCULATED AS DRY GAS AT STANDARD CONDITIONS	MAXIMUM CONCENTRATION OF PARTICULATE MATTER ALLOWED IN DISCHARGED GAS--GRAINS PER CUBIC FOOT OF DRY GAS AT STANDARD CONDITIONS.
1000 or less	0.200	20,000	0.0635
1200	.187	30,000	.0544
1400	.176	40,000	.0487
1600	.167	50,000	.0447
1800	.160	60,000	.0417
2000	.153	70,000	.0393
2500	.141	80,000	.0374
3000	.131	100,000	.0343
3500	.124	200,000	.0263
4000	.118	400,000	.0202
5000	.108	600,000	.0173
6000	.101	800,000	.0155
7000	.0949	1,000,000	.0142
8000	.0902	1,500,000	.0122
10,000	.0828	2,000,000	.0109
15,000	.0709	2,500,000 or more	.0100

(50.0) RULE 19. SPECIFIC CONTAMINANTS.

A person shall not discharge into the atmosphere from any single source or emission whatsoever any one or more of the following contaminants, in any state or combination thereof, exceeding in concentration at the point of discharge:

(a) Sulphur Compounds calculated as sulphur dioxide (SO_2): 0.2 per cent, by volume.

(b) Combustion Contaminants: 0.3 grain per cubic foot of gas calculated to 12 per cent of carbon dioxide (CO_2) at standard conditions. In measuring the combustion contaminants from incinerators used to dispose of combustible refuse by burning, the carbon dioxide (CO_2) produced by combustion of any liquid or gaseous fuels shall be excluded from the calculation to 12 percent of carbon dioxide (CO_2).

RULE 19-A. SPECIFIC CONTAMINANTS - SOUTH COAST AIR BASIN

A person shall not discharge into the atmosphere from any single source of emission whatsoever, any one or more of the following contaminants, in any state or combination thereof, exceeding in concentration:

Combustion contaminants: 0.1 grain per cubic foot of gas calculated to 12 percent of carbon dioxide (CO_2) at standard conditions (Except as specified in Rule 28-A).

Rule 19-A(b) is to become effective in the South Coast Air Basin on June 1, 1972 for all sources which are not either in operation or under construction prior to that date, and Rule 19 (b) shall not be applicable to such sources in the South Coast Air Basin on or after that date. This Rule is to become effective for all other sources in the South Coast Air Basin on January 1, 1974, and Rule 19 (b) shall not be applicable in the South Coast Air Basin on or after that date.

(51.21) RULE 20. SCAVENGER PLANTS.

Where a separate source of air pollution is a scavenger or recovery plant, recovering pollutants which would otherwise be emitted to the atmosphere, the Air Pollution Control Officer may grant a permit to operate where the total emission of pollutants is substantially less with the plant in operation than when closed, even though the concentration exceeds that permitted by Rule 19 (a). The Air Pollution Control Officer shall report immediately in writing to the Air Pollution Control Board the granting of any such permit, together with the facts and reasons therefor.

Effective July 1, 1973, this Rule is repealed for sulfur recovery units. Effective January 1, 1974, this Rule is repealed for sulfuric acid units.

(51.19) RULE 20.1 SULFUR RECOVERY UNITS.

A person shall not, after June 30, 1973, discharge into the atmosphere from any sulfur recovery unit producing elemental sulfur, effluent process gas containing more than:

(1) 500 parts per million by volume of sulfur compounds calculated as sulfur dioxide.

(2) 10 parts per million by volume of hydrogen sulfide.

Any sulfur recovery unit having an effluent process gas discharge containing less than 10 pounds per hour of sulfur compounds calculated as sulfur dioxide may dilute to meet the provision of number (1) above.

(51.18) RULE 20.2 SULFURIC ACID UNITS.

A person shall not, after December 31, 1973, discharge into the atmosphere from any sulfuric acid unit, effluent process gas containing more than:

(1) 500 parts per million by volume of sulfur compounds calculated as sulfur dioxide.

(2) 200 pounds per hour of sulfur compounds calculated as sulfur dioxide.

(50.6) RULE 21. DUST AND FUMES.

A person shall not discharge in any one hour from any source whatsoever dust or fumes in total quantities in excess of the amount shown in the following table: (See page 23)

To use the following table, take the process weight per hour as such is defined in Rule 2 (p). Then find this figure on the table, opposite which is the maximum number of pounds of contaminants which may be discharged into the atmosphere in any one hour. As an example, if A has a process which emits contaminants into the atmosphere and which process takes 3 hours to complete, he will divide the weight of all materials in the specific process, in this example, 1,500 lbs. by 3 giving a process weight per hour of 500 lbs. in any one hour during the process. Where the process weight per hour falls between figures in the left hand column, the exact weight of permitted discharge may be interpolated.

TABLE

Process Wt/hr (lbs)	Maximum weight Disch/hr (lbs)
50	.24
100	.46
150	.66
200	.85
250	1.03
300	1.20
350	1.35
400	1.50
450	1.63
500	1.77
550	1.89
600	2.01
650	2.12
700	2.24
750	2.34
800	2.43
850	2.53
900	2.62
950	2.72
1000	2.80
1100	2.97
1200	3.12
1300	3.26
1400	3.40
1500	3.54
1600	3.66
1700	3.79
1800	3.91
1900	4.03
2000	4.14
2100	4.24
2200	4.34
2300	4.44
2400	4.55
2500	4.64
2600	4.74
2700	4.84
2800	4.92
2900	5.02
3000	5.10
3100	5.18
3200	5.27
3300	5.36
3400	5.44
3500	5.52
3600	5.61
3700	5.69
3800	5.77
3900	5.85
4000	5.93
4100	6.01
4200	6.08
4300	6.15
4400	6.22
4500	6.30
4600	6.37
4700	6.45
4800	6.52
4900	6.60
5000	6.67
5500	7.03
6000	7.37
6500	7.71
7000	8.05
7500	8.39
8000	8.71
8500	9.03
9000	9.36
9500	9.67
10000	10.0
11000	10.63
12000	11.28
13000	11.89
14000	12.50
15000	13.13
16000	13.74
17000	14.36
18000	14.97
19000	15.58
20000	16.19
30000	22.22
40000	28.3
50000	34.3
60000 or more	40.0

RULE 21-A PROCESS WEIGHT RATE - SOUTH COAST BASIN

A person shall not discharge into the atmosphere from any source, solid particulate matter in excess of the rate shown in the following table.

For the purposes of this Rule, solid particulate matter includes any material which would become solid particulate matter if cooled to standard conditions.

This Rule is to become effective in the South Coast Air Basin on June 1, 1972 for all sources which are not either in operation or under construction prior to that date, and Rule 21 shall not be applicable to such sources in the South Coast Air Basin on or after that date. This Rule is to become effective for all other sources in the South Coast Air Basin on January 1, 1973, and Rule 21 shall not be applicable in the South Coast Air Basin on or after that date.

(Table for Rule 21-A on next page)

TABLE FOR RULE 21-A SOUTH COAST AIR BASIN

PROCESS WEIGHT PER HOUR ---- POUNDS PER HOUR	MAXIMUM DISCHARGE RATE ALLOWED FOR SOLID PARTICULATE MATTER (AGGREGATE DISCHARGED FROM ALL POINTS OF PROCESS) -- POUNDS PER HOUR	PROCESS WEIGHT PER HOUR ---- POUNDS PER HOUR	MAXIMUM DISCHARGE RATE ALLOWED FOR SOLID PARTICULATE MATTER (AGGREGATE DISCHARGED FROM ALL POINTS OF PROCESS) -- POUNDS PER HOUR
250 or less	1.00	12,000	10.4
300	1.12	14,000	10.8
350	1.23	16,000	11.2
400	1.34	18,000	11.5
450	1.44	20,000	11.8
500	1.54	25,000	12.4
600	1.73	30,000	13.0
700	1.90	35,000	13.5
800	2.07	40,000	13.9
900	2.22	45,000	14.3
1,000	2.38	50,000	14.7
1,200	2.66	60,000	15.3
1.400	2.93	70,000	15.9
1,600	3.19	80,000	16.4
1,800	3.43	90,000	16.9
2,000	3.66	100,000	17.3
2,500	4.21	120,000	18.1
3,000	4.72	140,000	18.8
3,500	5.19	160,000	19.4
4,000	5.64	180,000	19.9
4,500	6.07	200,000	20.4
5,000	6.49	250,000	21.6
5,500	6.89	300,000	22.5
6,000	7.27	350,000	23.4
6,500	7.64	400,000	24.1
7,000	8.00	450,000	24.8
7,500	8.36	500,000	25.4
8,000	8.70	600,000	26.6
8,500	9.04	700,000	27.6
9,000	9.36	800,000	28.4
9,500	9.68	900,000	29.3
10,000	10.00	1,000,000 or more	30.0

(2.0) RULE 22. EXCEPTIONS.

The provisions of Rule 16 do not apply to:

(a) Smoke from fires set by or permitted by any public officer if such a fire is set or permission given in the performance of the official duty of such officer, and such fire in the opinion of such officer is necessary:

(1) For the purpose of the prevention of a fire hazard which cannot be abated by any other reasonable means, or

(2) The instruction of public employees in the methods of fighting fire.

(b) Smoke from fires set pursuant to permit on property used for industrial purposes for the purpose of instruction of employees in methods of fighting fire.

(c) Agricultural operations in the growing of crops, or raising of fowls or animals.

(d) Orchard and citrus heaters meeting the requirements provided for by Section 39298.7 of the Health and Safety Code or any amendments and successors thereto.

(e) The use of other equipment in agricultural operations in the growing of crops, or raising of fowls or animals.

(51.16) RULE 23. STORAGE OF PETROLEUM PRODUCTS.

A person shall not place, store or hold in any stationary tank, reservoir or other container of more than 40,000 gallons capacity any gasoline or any petroleum distillate having a vapor pressure of 1.5 pounds per square inch absolute or greater under actual storage conditions unless such tank, reservoir or other container is a pressure tank maintaining working pressures sufficient at all times to prevent hydrocarbon vapor or gas loss to the atmosphere, or is designed and equipped with one of the following vapor loss control devices, properly installed, in good working order and in operation:

(a) A floating roof, consisting of a pontoon type or double-deck type roof, resting on the surface of the liquid contents and equipped with a closure seal, or seals, to close the space between the roof edge and tank wall. The control equipment provided for in this paragraph shall not be used if the gasoline or petroleum distillate has a vapor pressure of 11.0 pounds per square inch absolute or greater under actual storage conditions. All tank gauging and sampling devices shall be gas-tight except when gauging or sampling

is taking place.

(b) A vapor recovery system, consisting of a vapor gathering system capable of collecting the hydrocarbon vapors and gases discharged and a vapor disposal system capable of processing such hydrocarbon vapors and gases so as to prevent their emission to the atmosphere and with all tank gauging and sampling devices gas-tight except when gauging or sampling is taking place.

(c) Other equipment of equal efficiency, provided such equipment is submitted to and approved by the Air Pollution Control Officer.

(51.13) RULE 24. OPEN FIRES.

A person shall not burn any combustible refuse in any open outdoor fire within the District boundaries except as otherwise provided in these rules and regulations.

(51.13) RULE 25. FIRES SET UNDER PUBLIC AUTHORITY.

Nothing in these regulations shall be construed as limiting the authority granted under other provisions of law:

(a) To any public officer to set or permit a fire when such fire is, in his opinion, necessary for any of the following:

(1) For the purpose of the preservation of life or prevention of a fire hazard which cannot be abated by any other reasonable means, or

(2) The instruction of public employees in the methods of fighting fire,

(3) Set pursuant to permit on property used for industrial purposes of instruction of employees in methods of fighting fire.

(b) To set or cause to be set backfires necessary to save life or valuable property pursuant to Section 4426 of the Public Resources Code.

(c) To abate fires pursuant to Chapter 2 (commencing with Section 13025) of Part 1 of Division 12 of the Health and Safety Code.

The exception of (a) hereof shall not be effective on any calendar day on which the Air Pollution Control Officer determines that it is a no burn day.

(51.13) RULE 26. AGRICULTURAL BURNING.

Nothing in these regulations shall be construed as prohibiting agricultural burning authorized pursuant to Article 4 (commencing with Section 39298) of the Health and Safety Code.

(51.9) RULE 28. INCINERATOR BURNING.

A person shall not burn any combustible refuse in any incinerator within the South Coast Basin or South Central Coast Basin except in a multiple-chamber incinerator as described in Rule 2 (1), or in equipment found by the Air Pollution Control Officer in advance of such use to be equally effective for the purpose of air pollution control as an approved multiple-chamber incinerator.

RULE 28-A DISPOSAL OF SOLID AND LIQUID WASTES - SOUTH COAST AIR BASIN:

(a) A person shall not burn any combustible refuse in any incinerator except in a multiple-chamber incinerator or in equipment found by the Air Pollution Control Officer in advance of such use to be equally effective for the purpose of air pollution control as an approved multiple-chamber incinerator.

(b) A person shall not discharge into the atmosphere from any incinerator or other equipment used to dispose of combustible refuse by burning, having design burning rates greater than 100 pounds per hour, except as provided in subsection (d) of this Rule, particulate matter in excess of 0.1 grain per cubic foot of gas calculated to 12 percent of carbon dioxide (CO_2) at standard conditions. Any gaseous fuels shall be excluded from the calculation to 12 percent of carbon dioxide (CO_2).

(c) A person shall not discharge into the atmosphere from any equipment whatsoever, used to process combustible refuse, except as provided in subsection (d) of this Rule, particulate matter in excess of 0.1 grain per cubic foot of gas calculated to 12 percent of carbon dioxide (CO_2) at standard condition. Any carbon dioxide (CO_2) produced by combustion of any liquid or gaseous fuels shall be excluded from the calculation to 12 percent of carbon dioxide (CO_2).

(d) A person shall not discharge into the atmosphere from any incinerator or other equipment used to dispose of combustible refuse by burning, having design burning rates of 100 pounds per hour or less, particulate matter in excess of 0.3 grain per cubic foot of gas calculated to 12 percent of carbon dioxide (CO_2) at standard conditions. Any carbon dioxide (CO_2) produced by combustion of any liquid or gaseous fuels shall be excluded from the calculation to 12 percent of carbon dioxide (CO_2)

This Rule is to become effective in the South Coast Air Basin on June 1, 1972 for all sources which are not either in operation or under construction prior to that date, and Rule 28 shall not be applicable to such sources in the South Coast Air Basin on or after that date. This Rule is to become effective for all other sources in the South Coast Air Basin on January 1, 1973, and Rule 28 shall not be applicable in the South Coast Air Basin on or after that date.

(51.16) RULE 29. EFFLUENT OIL WATER SEPARATORS.

A person shall not use any compartment of any vessel or device operated for the recovery of oil from effluent water which recovers 200 gallons a day or more of any petroleum products from any equipment which processes, refines, stores or handles hydrocarbons with a Reid vapor pressure of 0.5 pound or greater, unless such compartment is equipped with one of the following vapor loss control devices, except when gauging or sampling is taking place:

(a) A solid cover with all openings sealed and totally enclosing the liquid contents of that compartment.

(b) A floating pontoon or double-deck type cover equipped with closure seals to enclose any space between the cover's edge and compartment wall.

(c) A vapor recovery system, which reduces the emission of all hydrocarbon vapors and gases into the atmosphere by at least 90 per cent by weight.

(d) Other equipment of an efficiency equal to or greater than a, b, or c, if approved by the Air Pollution Control Officer.

This rule shall not apply to any oil-effluent water separator used exclusively in conjunction with the production of crude oil, if the water fraction of the oil-water effluent entering the separator contains less than 5 parts per million hydrogen sulfide, organic sulfides, or a combination thereof.

(2.0) RULE 30. CIRCUMVENTION.

A person shall not build, erect, install, or use any article, machine, equipment or other contrivance, the use of which, without resulting in a reduction in the total release of air contaminants to the atmosphere, reduces or conceals an emission which would otherwise constitute a viola- of Division 20, Chapter 2 of the Health and Safety Code of the State of California or of these rules and regulations. This rule shall not apply to cases in which the only violation involved is of Section 24243 of the Health and Safety Code of the State of California, or of Rule 17 or these rules and regulations.

(51.16) RULE 31. GASOLINE LOADING INTO TANK TRUCKS AND TRAILERS.

A person shall not load gasoline into any tank truck or trailer from any loading facility unless such loading facility is equipped with a vapor collection and disposal system or its equivalent, properly installed, in good working order and in operation.

When loading is effected through the hatches of a tank truck or trailer with a loading arm equipped with a vapor collecting adaptor, a pneumatic, hydraulic or other mechanical means shall be provided to force a vapor-tight seal between the adaptor and the hatch. A means shall be provided to prevent liquid gasoline drainage from the loading device when it is removed from the hatch of any tank truck or trailer, or to accomplish complete drainage before such removal.

When loading is effected through means other than hatches, all loading and vapor lines shall be equipped with fittings which make vapor-tight connections and which close automatically when disconnected.

The vapor disposal portion of the system shall consist of one of the following:

(a) A vapor-liquid absorber system with a minimum recovery efficiency of 90 per cent by weight of all the hydrocarbon vapors and gases entering such disposal system.

(b) A variable vapor space tank, compressor, and fuel gas system of sufficient capacity to receive all hydrocarbon vapors and gases displaced from the tank trucks and trailers being loaded.

(c) Other equipment of at least 90 per cent efficiency, provided such equipment is submitted to and approved by the Air Pollution Control Officer.

This rule shall not apply to the loading of gasoline into tank trucks and trailers from any loading facility from which not more than 20,000 gallons of gasoline are loaded in any one day.

For the purpose of this rule, any petroleum distillate having a Reid vapor pressure of four pounds or greater shall be included by the term "gasoline."

For the purpose of this rule, "loading facility" means any aggregation or combination of gasoline loading equipment which is both (1) possessed by one person, and (2) located so that all the gasoline loading outlets for such aggregation or combination of loading equipment can be encompassed within any circle of 300 feet in diameter.

(50.2) RULE 32. SULFUR CONTENTS OF FUELS.

(a) Liquid and Solid Fuel. No person shall burn within the District any liquid fuel or solid fuel having a sulfur content in excess of 0.5 per cent by weight, with the following exceptions:

(1) Such fuel may be burned when other fuel complying with this rule cannot be used because of accident, strike, sabotage, or act of God for a period not to exceed three consecutive calendar days and provided that an application for a variance is promptly filed with the Air Pollution Control Officer for such additional period of time as is necessary for the hearing board to render a decision on such variance.

(2) Between November 16 of any year and April 14 of the next succeeding calendar year, both dates inclusive, such liquid fuel may be burned during a period when the supplier of gaseous fuel permitted by paragraph (b) of this Rule 32, interrupts delivery of such gaseous fuel to the user and every holder of and every applicant for a permit to operate fuel-burning equipment under these rules and regulations promptly notifies the Air Pollution Control Officer in the manner and form prescribed by him, of each such interruption in and subsequent resumption on delivery of such gaseous fuel to his equipment.

(3) Nonconforming solid fuels may be used in any metallurgical process.

(4) Nonconforming liquid or solid fuel may be used to propel or test any vehicle, aircraft, missile, locomotive, boat or ship.

(5) Nonconforming low sulfur liquid fuel may be used whenever a gas shortage alert has been declared.

(b) Gaseous Fuel. No person shall burn within the District any gaseous fuel containing sulfur compounds in excess of 50 grains per 100 cubic feet of gaseous fuel, calculated as hydrogen sulfide at standard conditions, with the following exception:

(1) Waste gases may be incinerated provided that the gross heating value of such gases is less than 300 British Thermal Units per cubic foot at standard conditions and the fuel used to incinerate such waste gases does not contain sulfur or sulfur compounds in excess of the amount specified in this rule.

(50.2) RULE 32.1 SULFUR CONTENT OF NATURAL GAS - SOUTH COAST AIR BASIN

A person shall not burn natural gas containing sulfur compouds in excess of 15 grains per 100 cubic feet, calculated as hydrogen sulfide at

standard conditions.

The provisions of this Rule shall not apply to the use of fuels where the gaseous products of combustion are used as raw materials for other processes.

This Rule shall become effective in the South Coast Air Basin on January 1, 1973 for all sources which are either in operation, or under construction on June 1, 1972. This Rule shall be effective for all other sources in the South Coast Air Basin on June 1, 1972.

(12.0) RULE 33. GASOLINE SPECIFICATIONS.

(a) A person shall not, after January 1, 1972, sell or supply for use within the District as a fuel for motor vehicles as defined by the Vehicle Code of the State of California, gasoline having a degree of unsaturation greater than that indicated by a Bromine Number of 30 as determined by ASTM Method D1159-57T modified by omission of the mercuric chloride catalyst.

(b) For the purpose of this rule, the term "gasoline" means any petroleum distillate having a Reid vapor pressure of more than four pounds.

(51.21) RULE 34. REDUCTION OF ANIMAL MATTER.

A person shall not operate or use any article, machine, equipment or other contrivance for the reduction of animal matter unless all gases, vapors and gas-entrained effluents from such an article, machine, equipment of other contrivance are:

(a) Incinerated at temperatures of not less than 1200 degrees Fahrenheit for a period of not less than 0.3 second, or

(b) Processed in such a manner determined by the Air Pollution Control Officer to be equally, or more, effective for the purpose of air pollution control than (a) above.

A person incinerating or processing gases, vapors, or gas-entrained effluents pursuant to this rule shall provide, properly install and maintain in calibration, in good working order and in operation devices, as specified in the permit to operate or as specified by the Air Pollution Control Officer, for indicating temperature, pressure or other operating conditions.

For the purpose of this rule, "reduction" is defined as any heated process, including rendering, cooking, drying, dehydrating, digesting, evaporating and protein concentrating.

The provisions of this rule shall not apply to any article, machine, equipment or other contrivance used exclusively for the processing of food for human consumption.

(51.16) RULE 35. GASOLINE LOADING INTO TANKS.

A person shall not after the effective date of these rules and regulations load or permit the loading of gasoline into any stationary tank with a capacity of 250 gallons or more from any tank, truck, or trailer, except through a permanent submerged fill pipe, unless such tank is equipped with a vapor loss control device as described in Rule 23, or is a pressure tank as described in Rule 23.

The provisions of the first paragraph of this rule shall not apply to the loading of gasoline into any tank having a capacity of less than 2,000 gallons which was installed prior to Decemher 31, 1970, nor to any underground tank installed prior to December 31, 1970, where the fill line between the fill connection and tank is offset.

Any person operating or using any gasoline tank with a capacity of 250 gallons or more installed prior to the date of adoption of this rule shall apply for a permit to operate such tank before January 1, 1972. The provisions of Rule 14 shall not apply during the period between the date of adoption of this rule and January 1, 1972, to any gasoline tank installed prior to the date of adoption of this rule provided an application for permit to operate is filed before January 1, 1972.

A person shall not install any gasoline tank with a capacity of 250 gallons or more unless such a tank is equipped as described in the first paragraph of this rule.

For the purpose of this rule, the term "gasoline" is defined as any petroleum distillate having a Reid vapor pressure of 4 pounds or greater.

For the purpose of this rule, the term "submerged fill pipe" is defined as any fill pipe the discharge opening of which is entirely submerged when the liquid level is 6 inches above the bottom of the tank. "Submerged fill pipe" when applied to a tank which is loaded from the side is defined as any fill pipe the discharge opening of which is entirely submerged when the liquid level is 18 inches above the bottom of the tank.

The provisions of this rule do not apply to any stationary tank which is used primarily for the fueling of implements of husbandry, as such vehicles are defined in Division 16 (Section 36000, et seq.) of the Vehicle Code.

(51.16) RULE 35.1 TRANSFER OF GASOLINE INTO STATIONARY STORAGE CONTAINER - SOUTH COAST AIR BASIN.

1. (a) A person shall not transfer or permit the transfer of gasoline

from any delivery vessel (i.e., tank truck or trailer) into any stationary storage container with a capacity of more than 250 gallons unless such container is equipped with a permanent submerged fill pipe and unless 90 percent by weight of the gasoline vapors displaced during the filling of the stationary storage container are prevented from being released to the atmosphere.

(b) The provisions of the Section shall be subject to the following exceptions:

(A) The transfer of gasoline into any stationary storage container used exclusively for the fueling of implements of husbandry as such vehicles are defined in Division 16 (Section 36000 et seq.) of the California Vehicle Code, if such container is equipped by July 1, 1976 with a permanent submerged fill pipe.

(B) The transfer of gasoline into any stationary storage container having a capacity of 2,000 gallons or less which was installed prior to July 1, 1975, if such container is equipped by July 1, 1976 with a permanent submerged fill pipe.

(C) The transfer of gasoline into any stationary storage container in existence prior to July 1, 1975 which is served by a delivery vessel exempted by the Air Pollution Control Officer pursuant to Section 3 (a) of this Rule, if such container is equipped by July 1, 1976 with a permanent submerged fill pipe.

(D) The transfer of gasoline into any stationary storage container which the Air Pollution Control Officer finds is equipped with equipment to control emissions at least as effectively as required by this Section.

(E) The transfer of gasoline into any stationary storage container in existence prior to July 1, 1975 which is equipped with an offset fill pipe.

2. No person shall store gasoline in or otherwise use or operate any gasoline delivery vessel unless such vessel is designed and maintained to be vapor tight. Any delivery vessel into which gasoline vapors have been transferred shall be refilled only at a loading facility that is equipped with a system that prevents at least 90 percent by weight of the gasoline vapors displaced from entering the atmosphere.

3. (a) The owner or operator of any bulk loading facility not subject to the provisions of Rule 31 which was in operation on or before July 1, 1975, and for which the annual through to stationary storage containers that are not exempted by Section 1 (b)(A) and 1 (b)(B) does not exceed 500,000 gallons may petition the Air Pollution Control Officer to have the facility's delivery vessels and other independently owned gasoline delivery vessels which are exclusively serviced at such facility exempted from the provisions of Section 2. The owner or operator of such a facility must petition annually to renew such exemptions.

(b) A person shall not load gasoline into any delivery vessel from any loading facility granted an exemption pursuant to Section 3(a) of the Rule unless, by July 1, 1976, such delivery vessel is loaded through a submerged fill pipe.

(c) A person shall not operate any gasoline loading facility which is not subject to the provisions of Rule 31 after July 1, 1976 unless:

(A) The facility is equipped with a system or systems to prevent the release to the atmosphere of at least 90 percent by weight of the gasoline vapors displaced during the filling of the facility's stationary storage containers; and

(B) The facility is equipped with a pressure-vacuum valve on the above ground stationary storage containers with a minimum pressure valve setting of 15 ounces, provided that such setting will not exceed the container's maximum pressure rating.

4. (a) The owner or operator of any stationary storage container or gasoline loading facility which is subject to this Rule and which is installed or constructed on or after July 1, 1975 shall comply with the provisions of this Rule at the time of installation.

5. (a) The owner or operator of any stationary storage container subject to this Rule or gasoline loading facility granted an exemption pursuant to Section 3a of this Rule which is operating or in the process of being installed or constructed prior to July 1, 1975 shall comply with the provisions of this Rule by July 1, 1976, and shall comply with the following schedule:

(A) By November 1, 1975 - Apply for an authority to construct from the Air Pollution Control Officer for the installation of the needed control system;

(B) By January 1, 1976 - Submit to the Air Pollution Control Officer evidence that all necessary contracts for the design, procurement, and installation of the required emission control system have been negotiated and signed, or evidence that orders for the purchase of component parts necessary to accomplish the necessary emission control have been issued;

(C) By March 1, 1976 - Initiate on-site construction or installation of emissions control equipment.

(D) By June 1, 1976 - Complete on-site construction or installation of emission control equipment; and

(E) By July 1, 1976 - Secure the Air Pollution Control Officer's approval of all equipment and a permit to operate.

6. (a) Any gasoline loading facility not granted an exemption pursuant to Section 3(a) of this Rule and non-exempt accounts served by such facility shall comply with the provisions of this Rule by January 1, 1977, and shall comply with the following schedule:

(A) By May 1, 1976 - Apply for an authority to construct from the Air Pollution Control Officer for the installation of the needed control system;

(B) By June 1, 1976 - Submit to the Air Pollution Control Officer evidence that all necessary contracts for the design, procurement, and installation of the required emissions control systems have been negotiated and signed, or evidence that orders for the purchase of component parts necessary to accomplish the necessary emission control have been issued;

(C) By September 1, 1976 - Initiate on-site construction or installation of emission control equipment;

(D) By December 1, 1976 - Complete on-site construction or installations of emissions control equipment; and

(E) By January 1, 1977 - Secure the Air Pollution Control Officer's approval of all equipment and a permit to operate.

7. Vapor-return and/or vapor recovery systems used to comply with the provisions of this Rule shall comply with all safety, fire, weights and measures, and other applicable codes and/or regulations.

8. (a) For the purposes of this Rule, the term" gasoline is defined as any petroleum distillate having a Reid vapor pressure of 4 pounds or greater.

(b) For the purposes of this Rule "gasoline vapors" means the organic compounds in the displaced vapors including any entrained liquid gasoline.

(c) For the purposes of this Rule, the term "submerged fill pipe" is defined as any fill pipe, the discharge opening of which is entirely submerged when the liquid level is 6 inches above the bottom of the container. "Submerged fill pipe" when applied to a container which is loaded from the side is defined as any fill pipe the discharge opening of which is entirely submerged when the liquid level is 18 inches above the bottom of the container.

(51.16) RULE 35.2 TRANSFER OF GASOLINE INTO VEHICLE FUEL TANKS - SOUTH COAST AIR BASIN.

1. A person shall not transfer or permit the transfer of gasoline from a stationary storage container subject to the provisions of Section 1 of Rule 35.1 into any motor vehicle fuel tank with a capacity of greater than 5 gallons unless such transfer is made in a manner by which the emissions to the atmosphere of gasoline vapors displaced during filling of the vehicle fuel tank are reduced by at least 90 percent by weight.

2. Any gasoline dispensing system subject to this Rule, installed on or after January 1, 1977 shall comply with the provisions of this Rule at the time of installation.

3. Any gasoline dispensing system subject to this Rule, installed or in the process of being installed prior to January 1, 1977, shall comply with the provisions of this Rule by February 1, 1977 and the owner or operator of such a system shall comply with the following schedule:

(A) By November 1, 1975 - Apply for an authority to construct from the Air Pollution Control Officer for the installation of the needed control system;

(B) By January 1, 1976 - Submit to the Air Pollution Control Officer evidence that all necessary contracts for the design, procurement, and installation of the required emissions control systems have been negotiated and signed, or evidence that orders for the purchase of component parts necessary to accomplish the necessary emission control have been issued;

(C) By March 1, 1976 - Initiate on-site construction or installation of emission control equipment;

(D) By June 1, 1976 - Complete on-site construction except for installation of the vapor recovery nozzles; and

(E) By February 1, 1977 - Secure the Air Pollution Control Officer's approval of all equipment and a permit to operate.

4. Gasoline dispensing equipment used to comply with the provisions of this Rule shall comply with all applicable safety, fire, weights and measures, and other applicable codes and/or regulations.

5. (A) For the purposes of this Rule, the term "gasoline" is defined as any petroleum distillate having a Reid vapor pressure of 4 pounds or greater.

(B) For the purposes of this Rule "motor vehicle" is defined as any vehicle registered with the California Department of Motor Vehicles.

(50.4) RULE 36. ORGANIC SOLVENTS.

(a) A person shall not discharge more than 15 pounds of organic materials into the atmosphere in any one day from any article, machine, equipment or other contrivance in which any organic solvent or any material containing organic solvent comes into contact with flame or is baked, heat-cured or heat-polymerized, in the presence of oxygen, unless all organic materials discharged from such article, machine, equipment or other contrivance have been reduced either by at least 85 percent overall or to not more than 15 pounds in any one day.

(b) A person shall not discharge more than 40 pounds of organic material into the atmosphere in any one day from any article, machine, equipment or other contrivance used under conditions other than described in section (a), for employing, applying, evaporating or drying any photochemically reactive solvent,

as defined in section (k), or material containing such solvent, unless all organic materials discharged from such article, machine, equipment or other contrivance have been reduced either by at least 85 percent overall or to not more than 40 pounds in any one day.

(c) Any series of articles, machines, equipment or other contrivances designed for processing a continuously moving sheet, web, strip or wire which is subjected to any combination of operations described in sections (a) or (b) involving any photochemically reactive solvent, as defined in section (k) or material containing such solvent, shall be subject to compliance with section (b). Where only non-photochemically reactive solvents or material containing only non-photochemically reactive solvents are employed or applied, and where any portion or portions ofsaid series of articles, machines, equipment or other contrivances involves operations described in section (a), said portions shall be collectively subject to compliance with section (a).

(d) Emissions of organic materials to the atmosphere from the clean-up with photochemically reactive solvents, as defined in section (k), of any article, machine, equipment or other contrivance described in section (a), (b), or (c), shall be included with the other emissions of organic materials from that article, machine, equipment or other contrivance for determining compliance with this rule.

(e) Emissions of organic materials to the atmosphere as a result of spontaneously continuing drying of products for the first 12 hours after their removal from any article, machine, equipment or other contrivance described in sections (a), (b), or (c), shall be included with other emissions of organic materials from that article, machine, equipment or other contrivance for determining compliance with this rule.

(f) Emissions of organic materials into the atmosphere required to be controlled by sections (a), (b), or (c), shall be reduced by:

(1) Incineration, provided that 90 percent or more of the carbon in the organic material being incinerated is oxidized to carbon dioxide, or

(2) Adsorption, or

(3) Processing in a manner determined by the Air Pollution Control Officer to be not less effective that (1) or (2) above.

(g) A person incinerating, absorbing, or otherwise processing organic material pursuant to this rule shall provide, properly install and maintain in calibration, in good working order and in operation, devices as specified in the permit to operate, or as specified by the Air Pollution Control Officer, for indicating temperatures, pressures, rates of flow or other operating conditions necessary to determine the degree and effectiveness of air pollution control.

(h) Any person using organic solvents or any materials containing organic solvents shall supply the Air Pollution Control Officer, upon request and in the manner and form prescribed by him, written evidence of the chemical composition, physical properties and amount consumed for each organic solvent used.

(i) The provisions of this rule shall not apply to:

(1) The manufacture of organic solvents, or the transport or storage of organic solvents or materials containing organic solvents.

(2) The use of equipment for which other requirements are specified by Rules 23, 29, 31 or 35 or which are exempt from air pollution control requirements by said rules.

(3) The spraying or other employment of insecticides, pesticides or herbicides.

(4) The employment, application, evaporation, or drying of saturated halogenated hydrocarbons or perchloroethylene.

(j) For the purpose of this rule, organic solvents include diluents and thinners and are defined as organic materials which are liquids at standard conditions and which are used as dissolvers, viscosity reducers or cleaning agents.

(k) For the purposes of this rule, a photochemically reactive solvent is any solvent with an aggregate of more than 20 percent of its total volume composed of the chemical compounds classified below or which exceeds any of the following individual percentage composition limitations, referred to the total volume of solvent:

(1) A combination of hydrocarbons, alcohols, aldehydes, esters, ethers or ketones having an olefinic or cyclo-olefinic type of unsaturation: 5 percent;

(2) A combination of aromatic compounds with either or more carbon atoms to the molecule except ethylbenzene: 8 percent;

(3) A combination of ethylbenzene, ketones having branched hydrocarbon structures, trichloroethylene or toluene: 20 percent.

Whenever any organic solvent or any constituent of an organic solvent may be classified from its chemical structure into more than one of the above groups of organic compounds, it shall be considered as a member of the most reactive chemical group, that is, that group having the least allowable percent of the total volume of solvents.

(l) For the purposes of this rule, organic materials are defined as chemcial compounds of carbon excluding carbon monoxide, carbon dioxide, carbonic acid, metallic carbides, metallic carbonates and ammonium carbonate.

(m) This rule shall be effective on the date of its adoption as to any article, machine, equipment or other contrivance, not then completed and put into service. As to all other articles, machines, equipment or other contrivances this rule shall be effective.

(1) On January 1, 1972, for those emitting 500 pounds or more of organic materials in any one day.

(2) On January 1, 1972, for those emitting 100 pounds or more but less than 500 pounds of organic materials in any one day.

(3) On January 1, 1972, for those subject to compliance with section (a), and emitting 15 pounds or more but less than 100 pounds of organic materials in any one day, and for those subject to compliance with section (b), and emitting 40 pounds or more but less than 100 pounds in any one day.

(51.21) RULE 36.1 VACUUM PRODUCING DEVICES OR SYSTEMS - SOUTH COAST AIR BASIN.

A person shall not discharge into the atmosphere more than 3 pounds of organic materials in any one hour from any vacuum producing devices or systems, including hot wells and accumulators, unless said discharge has been reduced by at least 90 percent.

This Rule shall become effective on January 1, 1973 for all sources which are either in operation, or under construction on June 1, 1972. his Rule shall be effective for all other sources on June 1, 1972.

(51.8) RULE 36.2 ASPHALT AIR BLOWING - SOUTH COAST AIR BASIN.

A person shall not operate or use any article, machine, equipment, or other contrivance for the air blowing of asphalt unless all gases, vapors and gas-entrained effluents from such an article, machine, equipment or other contrivance are:

(a) Incinerated at temperatures of not less than 1400 degrees Fahrenheit for a period of not less than 0.3 second, or

(b) Processed in such a manner determined by the Air Pollution Control Officer to be equally, or more, effective for the purpose of air pollution control than (a) above.

This Rule shall be come effective on January 1, 1973 for all sources which are either in operation, or under construction on June 1, 1972. This Rule shall be effective for all other sources on June 1, 1972.

(50.4) RULE 37. ARCHITECTURAL COATINGS.

(a) After January 1, 1972, a person shall not sell or offer for sale for use in Santa Barbara County, in containers of one quart capacity or larger, any architectural coating containing photochemically reactive solvent, as defined in Rule 36(k).

(b) After January 1, 1972, a person shall not employ, apply, evaporate or dry in Santa Barbara County any architectural coating, purchased in container of one quart capacity or larger, containing photochemically reactive solvent, as defined in Rule 36(k).

(c) After January 1, 1972, a person shall not thin or dilute any architectural coating with a photochemically reactive solvent, as defined in Rule 36(k).

(d) For the purpose of this rule, an architectural costing is defined as a coating used for residential or commercial buildings and their appurtenances; or industrial buildings.

(50.4) RULE 38. DISPOSAL AND EVAPORATION OF SOLVENTS.

A person shall not during any one day dispose of a total of more than 1 1/2 gallons of any photochemically reactive solvent, as defined

in Rule 36(k), or of any material containing more than 1 1/2 gallons of any such photochemically reactive solvent by any means which will permit the evaporation of such solvent into the atmosphere.

(51.5) RULE 39. FUEL BURNING EQUIPMENT.
(51.6)
(51.7) A person shall not build, erect, install or expand any nonmobile fuel burning equipment unit unless the discharge into the atmosphere of contaminants will not and does not exceed any one or more of the following rates:

(1) 200 pounds per hour of sulfur compounds, calculated as sulfur dioxide (SO_2);

(2) 140 pounds per hour of nitrogen oxides, calculated as nitrogen dioxide (NO_2);

(3) 10 pounds per hour of combustion contaminants as defined in Rule 2(m) and derived from the fuel.

For the purpose of this rule, a fuel burning equipment unit shall be comprised of the minimum number of boilers, furnaces, jet engines, or other fuel burning equipment, the simultaneous operations of which are required for the production of useful heat or power.

Fuel burning equipment serving primarily as air pollution control equipment by using a combustion process to destroy air contaminants shall be exempt from the provisions of this rule.

Nothing in this rule shall be construed as preventing the maintenance or preventing the alteration or modification of an existing fuel burning equipment unit which will reduce its mass rate of air contaminant emissions.

(51.7) RULE 39.1 FUEL BURNING EQUIPMENT - OXIDES OF NITROGEN - SOUTH COAST AIR BASIN

Effective on January 1, 1975, a person shall not discharge into the atmosphere from any non-mobile fuel burning article, machine, equipment or other contrivance, having a maximum heat input rate of more than 1775 million British Therman Units (BTU) per hour (gross), flue gas having a concentration of nitrogen oxides, calculated as nitrogen dioxide (NO_2) at 3 percent oxygen in excess of 125 ppm when fired by a gaseous fuel and 225 when fired by a liquid or solid fuel.

(50.5) RULE 39.2 CARBON MONOXIDE - SOUTH COAST AIR BASIN

A person shall not discharge into the atmosphere carbon monoxide (CO) in concentrations exceeding 2000 ppm by volume measured on a dry basis.

The provisions of this Rule shall not apply to emissions from internal combustion engines.

This Rule shall become effective on January 1, 1973 for all sources which are in operation, or under construction on June 1, 1972. This Rule shall be effective for all other sources on June 1, 1972.

REGULATION IV

Agricultural Burning

(51.13) RULE 40. AGRICULTURAL BURNING.

The provisions of this Rule implement the Agricultural Burning Guidelines, promulgated under Article I, Subchapter 2, Title 17, California Administrative Code.

(1) No person shall set, permit, cause to be set, or suffer, allow, or maintain any open outdoor fire, to burn agricultural waste unless:

(a) He has a valid permit issued by a public fire protection or other agency designated by the Air Resources Board, and

(b) The burning is in compliance with all state laws or regulations, applicable fire code provisions, and the provisions of this Rule.

(2) The Air Pollution Control Officer shall maintain a list of agencies designated to issue agricultural burning permits.

(3) The designated agencies shall issue agricultural burning permits for burning of agricultural waste only.

(4) Agricultural burning shall be subject to the following conditions:

(a) Agricultural burning is permitted only on days designated as burn days by the State Air Resources Board. Such designations will be announced at 0745 daily, together with a prediction for the next 24 hours, and are based on meteorological measurements. A day may be designated as a no-burn day.

The Air Pollution Control Officer may, by permit, authorize burning of agricultural waste on days designated as no-burn days, by the Air Resources Board, because denial of such permit would threaten imminent and substantial economic loss, as determined and certified by the Agricultural Commissioner.

A person seeking an agricultural burning permit on a no-burn day shall apply for such a permit both to the Air Pollution Control Officer and the County Agricultural Commissioner. The Agricultural Commissioner shall certify in writing that denial would threaten imminent and substantial economic loss. Written certification may follow verbal certification.

(b) Agricultural burning shall take place only on days permitted by public fire protection agencies for purposes of fire control or prevention.

(c) Agricultural wastes to be burned shall be free of waste not conforming to the definition in Rule 2 (b). The following materials, are not considered agricultural waste: tires, rubbish, tar paper, plastic, construction debris, packaging materials, weeds, shrubs and trees from non-productive areas such as along roads, and around buildings, and waste foreign to land being cleared for agricultural use.

Weeds, shrubs, and trees in pastures or crop production areas or in fences which are around pastures or crop production areas or on land being cleared for the growing of crops or animals are considered to be agricultural waste.

(d) Preparation of materials:

The materials to be burned shall be arranged so as to burn with a minimum of smoke. For this purpose, materials shall be loosely stacked to allow maximum drying in preparation for burning so as to provide good combustion.

The materials shall be free of dirt and soil to the extent that such dirt or soil will not hinder burning nor be carried into the air as particulate matter, and shall be reasonably free of visible surface moisture.

(e) Drying Times:

The agricultural waste to be burned shall have been dried for the minimum periods listed below. These periods include the period from dying or cutting to the day of burning.

Six (6) weeks for trees and large branches;
Three (3) weeks for prunings and small branches;
Ten (10) days for wastes from field crops.

(f) The Air Pollution Control Officer may restrict agricultural burning to selected numbered permits on specified days. The goal of this option is to ensure that a major portion of the total tonnage of agricultural waste is not ignited at one time during adverse weather conditions. All agricultural burning permits will be issued with sequential numbers.

(g) Time limits:

Agricultural burning may commence at any time after the

announcement of a burn-day by the Air Resources Board, but in no case shall it commence before sunrise. No additional waste material or ignition fuel shall be ignited or added to any fire after two hours before sunset.

(h) Wind direction:

The wind direction at the burning site shall be such that the smoke will not cause a nuisance in a populated area.

(i) Ignition devices:

The materials to be burned shall be ignited only by use of ignition devices approved by the Air Pollution Control Officer. Tires, tar paper, plastics, dirty oils, and similar materials shall not be used.

5. Enforcement Procedures.

(a) Designated fire protection agencies or the Air Pollution Control District shall enforce the provisions of this Rule by not allowing agricultural burning unless the person responsible for the burn has a valid agricultural burning permit.

(b) Those fire protection agencies having the required authority shall issue a notice of violation or citation or shall order other corrective action when permit violation occurs.

(c) Smoke complaints or other air pollution complaints not involving permit violations, or for any violation found by an agency not having authority to take enforcement action, shall be referred to the Air Pollution Control District for investigation.

(15.0) RULE 41. ENFORCEMENT.

Enforcement: Any person who intentionally or negligently violates any of the provisions of this Regulation shall be subject to the provisions of Section 836.5 of the Penal Code regarding arrests; Chapter 2, Division 20, of the Health and Safety Code and Chapter 6, Part I, Division 26, of the Health and Safety Code providing for maximum penalties and recovery procedures. Any violation of the provisions of this Regulation regarding agricultural burning will be subject to the enforcement provisions of Section 39298.1, Chapter 10, Part I, Division 26, of the Health and Safety Code.

(3.0) RULE 42. BURNING PERMIT FOR NON-BURNING DAYS; ISSUANCE BY AIR POLLUTION CONTROL DISTRICT; REPORTS; CONTENTS.

The Air Pollution Control District may by permit authorize agricultural burning on days designated by the District as nonburning days when denial of such permit would threaten imminent and substantial economic loss. The District shall require regular reports of permits issued authorizing agricultural burning on nonburning days. The report shall include the number of such permits issued, the date of issuance of each permit, the person or persons to whom the permit was issued, and any other information requested by the District.

REGULATION V

Hearing Board

(2.0) RULE 43. GENERAL.

This regulation shall apply to all hearings before the Hearing Board of the Air Pollution Control District.

(16.0) RULE 44. FILING PETITIONS.

Requests for hearing shall be initiated by the filing of a petition in triplicate with the Clerk of the Hearing Board at Santa Barbara, California, or elsewhere as designated by the Air Pollution Control Officer from time to time, and the payment of the fee provided for by resolution of the Board of Supervisors of the County of Santa Barbara after service of a copy of the petition has been made on the Air Pollution Control Officer at Santa Barbara, California, and one copy on the holder of the permit or variance, if any, involved. Service may be made in person or by mail, and service may be proved by written acknowledgment of the person served or by the affidavit of the person making the service.

(2.0) RULE 45. CONTENTS OF PETITIONS.

Every petition shall state:

(a) The name, address and telephone number of the petitioner, or other person authorized to receive service of notices.

(b) Whether the petitioner is an individual, co-partnership, corporation or other entity, and names and address of the partners if a co-partnership, names and address of the officers, if a corporation, and the names and address of the persons in control, if other entity.

(c) The type of business or activity involved in the application and the street address at which it is conducted.

(d) A brief description of the article, machine, equipment or other contrivance, if any, involved in the application.

(e) The section or rule under which the petition is filed; that is, whether petitioner desires a hearing:

(1) To determine whether a permit shall be revoked or suspended permit reinstated under Section 24274, Health and Safety Code of the State of California;

(2) For a variance under Section 24292, Health and Safety Code;

(3) To revoke or modify a variance under Section 24298, Health and Safety Code;

(4) To review the denial or conditional granting of a permit to operate or sell or rent under Rule 10 of these rules and regulations.

(f) Each petition shall be signed by the petitioner, or by some person on his behalf, and where the person signing is not the petitioner it shall set forth his authority to sign.

(g) Petitions for revocation of permits shall allege in addition the rule under which permit was granted, the rule or section which is alleged to have been violated, together with a brief statement of the facts constituting such alleged violation.

(h) Petitions for reinstatement of suspended permits shall allege in addition the rule under which the permit was granted, the request and alleged refusal which formed the basis for such suspension, together with a brief statement as to why information requested, if any, was not furnished, whether such information is believed by petitioner to be pertinent, and, if so, when it will be furnished.

(i) All petitions shall be typewritten, double spaced, on legal or letter size paper, on one side of the paper only, leaving a margin of at least one inch at the top and left side of each sheet.

(5.0) RULE 46. PETITIONS FOR VARIANCES.

In addition to the matters required by Rule 45, petitions for variances shall state briefly:

(a) The section, rule or order complained of.

(b) The facts showing why compliance with the section, rule or order is unreasonable.

(c) For what period of time the variance is sought and why.

(d) The damage or harm resulting or which would result to petitioner from a compliance with such section, rule or order.

(e) The requirements which petitioner can meet and the date when petitioner can comply with such requirements.

(f) The advantages and disadvantages to the residents of the District resulting from requiring compliance or resulting from granting a variance.

(g) Whether or not operations under such variance, if granted, would constitute a nuisance.

(h) Whether or not any case involving the same identical equipment of process is pending in any court, civil or criminal.

(i) Whether or not the subject equipment or process is covered by a permit to operate issued by the Air Pollution Control Officer.

(2.0) RULE 47. APPEAL FROM DENIAL.

A petition to review a denial or conditional approval of a permit to operate or permit to sell or rent shall, in addition to the matters required by Rule 45, set forth a summary of the application or a copy thereof and the alleged reasons for the denial or conditional approval and the reasons for appeal.

(2.0) RULE 48. FAILURE TO COMPLY WITH RULES.

The Clerk of the Hearing Board shall not accept for filing any petition which does not comply with these rules relating to the form, filing and service of petitions unless the chairman or any two members of the Hearing Board direct otherwise and confirm such direction in writing. Such direction need not be made at a meeting of the Hearing Board. The chairman or any two members, without a meeting, may require the petitioner to state further facts or reframe a petition so as to disclose clearly the issues involved.

(2.0) RULE 49. ANSWERS.

Any person may file an answer within 10 days after service. All answers shall be served the same as petitions under Rule 44.

(2.0) RULE 50. DISMISSAL OF PETITION.

The petitioner may dismiss his petition at any time before submission of the case to the Hearing Board, without a hearing or meeting of the Hearing Board. The Clerk of the Hearing Board shall notify all interested persons of such dismissal.

(16.0) RULE 51. PLACE OF HEARING.

As designated by the Air Pollution Control Board.

(16.0) RULE 52. NOTICE OF HEARING.

The Clerk of the Hearing Board shall mail or deliver a notice of hearing to the petitioner, the Air Pollution Control Officer, the holder of the permit or variance involved, if any, and to any person entitled to notice

under Sections 24275, 24295 or 24299, Health and Safety Code.

(2.0) RULE 53. EVIDENCE.

(a) Oral evidence shall be taken only on oath or affirmation.

(b) Each party shall have these rights: to call and examine witnesses; to introduce exhibits; to cross-examine opposing witnesses on any matter relevant to the issues even though that matter was not covered in the direct examination; to impeach any witness regardless of which party first called him to testify; and to rebut the evidence against him. If respondent does not testify in his own behalf he may be called and examined as if under cross-examination.

(c) The hearing need not be conducted according to technical rules relating to evidence and witnesses. Any relevant evidence shall be admitted if it is the sort of evidence on which responsible persons are accustomed to rely in the conduct of serious affairs, regardless of the existence of any common law or statutory rule which might make improper the admission of such evidence over objection in civil actions. Hearsay evidence may be used for the purpose of supplementing or explaining any direct evidence but shall not be sufficient in itself to support a finding unless it would be admissible over objection in civil actions. The rules of privilege shall be effective to the same extent that they are now or hereafter may be recognized in civil actions, and irrelevant and unduly repetitious evidence shall be excluded.

(2.0) RULE 54. PRELIMINARY MATTERS.

Preliminary matters such as setting a date for hearing, granting continuances, approving petitions for filing, allowing amendments and other preliminary rulings not determinative of the merits of the case may be made by the chairman or any two members of the Hearing Board without a hearing or meeting of the Hearing Board and without notice.

(2.0) RULE 55. OFFICIAL NOTICE.

The Hearing Board may take official notice of any matter which may be judicially noticed by the courts of this State.

(2.0) RULE 56. CONTINUANCES.

The Chairman or any two members of the Hearing Board shall grant any continuance of 15 days or less, concurred in by petitioner, the Air Pollution Control Officer and every person who has filed an answer in the action and may grant any reasonable continuance; in either case such action may be ex parte, without a meeting of the Hearing Board and without prior notice.

(2.0) RULE 57. DECISION.

The decision shall be in writing, served and filed within 15 days after submission of the cause by the parties therto and shall contain a brief statement of facts found to be true, the determination of the issues presented and the order of the Hearing Board. A copy shall be mailed or delivered to the Air Pollution Control Officer, the petitioner and to every person who has filed an answer or who has appeared as a party in person or by counsel at the hearing.

(2.0) RULE 58. EFFECTIVE DATE OF DECISION.

The decision shall become effective 15 days after delivering or mailing a copy of the decision, as provided in Rule 57, or the Hearing Board may order that the decision shall become effective sooner.

(3.0) RULE 59. LACK OF PERMIT.

The Hearing Board shall not receive or accept a petition for a variance for the operation or use of any article, machine, equipment or other contrivance until a permit to operate has been granted or denied by the Air Pollution Control Officer; except that an appeal from a denial of a permit to operate and a petition for a variance may be filed with the Hearing Board in a single petition. A variance granted by the Hearing Board after a denial of a permit to operate by the Air Pollution Control Officer may include a permit to operate for the duration of the variance.

REGULATION VI

Emergencies

This emergency regulation is designed to prevent the excessive buildup of air contaminants and to avoid any possibility of a catastrophe caused by toxic concentrations of air contaminants. Past history indicates that the possibility of such a catastrophe is extremely remote.

The Air Pollution Control Board deems it desirable to have ready an adequate plan to prevent such an occurence, and in case of the happening of this unforeseen event, to provide for adequate actions to protect the health of the citizens in the Air Pollution Control District.

(8.0) RULE 60. GENERAL.

Notwithstanding any other provisions of these rules and regulations, the provisions of this regulation shall apply within the South Coast Basin and South Central Coast Basin to the control of emissions of air contaminants during an "alert" stage as provided herein.

(9.0) RULE 61. SAMPLING STATIONS.

The Air Pollution Control Officer shall maintain a sufficient number of atmospheric sampling stations adequately equipped. These stations may be permanent, temporary, fixed, or mobile, and may be activated upon orders of the Air Pollution Control Officer.

(9.0) RULE 62. AIR SAMPLING.

The Air Pollution Control Officer shall establish procedures whereby adequate sampling and analyses of air contaminants will be taken at each of the stations established under Rule 61.

(13.0) RULE 63. REPORTS.

The Air Pollution Control Officer shall make summaries of the readings required by Rule 62. The summaries shall be in such form as to be understandable by the public. These summaries shall be public records and immediately after preparation shall be filed at the main office of the Air Pollution Control District and be available to the public, press, radio, televisions, and other mass media of communication.

(8.0) RULE 64. CONTINUING PROGRAM OF VOLUNTARY COOPERATION.

Upon the adoption of this regulation the Air Pollution Control Officer shall inform the public of ways in which air pollution can be reduced and shall request voluntary cooperation from all persons in all

activities which contribute to air pollution. Civic groups shall be encouraged to undertake campaigns of education and voluntary air pollution reduction in their respective communities. Public officials shall be urged to take promptly such steps as may be helpful to reduce air contamination to a minimum within the areas of their authority. Employers shall be requested to establish car pools. Users of automotive vehicles shall be urged to keep motors in good condition and to plan routes and schedules which will contribute minimum contamination to critical areas of pollution. All industrial, commercial and business establishments which emit hydrocarbons or the air contaminants named in Rule 67 should critically study their operations from the standpoint of air contamination and should take appropriate action voluntarily to reduce air pollution.

(8.0) RULE 65. PLANS.

(a) If the Air Pollution Control Officer finds that any industrial, business or commercial establishment or activity emits hydrocarbons or any of the contaminants named in Rule 67, he may give written notice to the owner or operator of such industrial, business or commercial establishment or activity to submit to the Air Pollution Control Officer plans for immediate shutdown or curtailment, in the event of an air pollution emergency, all of the sources of hydrocarbons or any of the contaminants named in Rule 67, including vehicles owned or operated by such person, his agents or employees in the scope of the business or operation of such establishment or activity. Such plans shall include, in addition to the other matters set forth in this rule, a list of all such sources of hydrocarbons and any of the contaminants named in Rule 67, and a statement of the minumum time and the recommended time to effect a complete shutdown of each source in the event of an air pollution emergency. Such notice may be served in the manner prescribed by law for the service of summons, or by registered or certified mail. Each such person shall, within sixty (60) days after the receipt of such notice, or within such additional time as the Air Pollution Control Officer may specify in writing, submit to the Air Pollution Control Officer the plans and information described in the notice.

(b) The Air Pollution Control Officer shall prepare appropriate plans to be made effective and action to be taken in respect to a First or Second Alert as follows:

In respect to a First Alert, the Air Pollution Control Officer shall develop plans calling for the operation of all privately owned vehicles on a pool basis as may be arranged by persons and employers of persons operating vehicles from home to work and in the business of such employer.

In respect to a Second Alert, the Control Officer shall prepare a program of action and steps to be taken under the provisions of Rule 69, paragraph c. The general nature of the plans to be made effective upon a Second Alert shall be reported and subject to review and approval by the Air Pollution Control Board.

It shall be the objective of such program to result in bringing about a diminution of air contaminants which occasioned the Second Alert and to prevent any increase thereof in order to protect the health of all persons within the area effected by the alert. It shall also be the objective of such plans that they may be effective to curtail the operations of industrial, business, commercial and other activities within the basin, but without undue interference with the operations of public utilities of other productive, industrial business and other activities, the conduct of which is essential to the health and welfare of the community. If is further intended that any said plan of action shall not jeopardize the welfare of the public or result in irreparable injury to any means of production or distribution or the rendering of public utility services.

The Air Pollution Control Officer shall further, by cooperative agreements or in addition to cooperative agreements, prepare plans for action in respect to industry, business, transportation, hospitals, schools and other appropriate public and private institutions, and the public generally, to accomplish the purposes of the Second Alert action as set forth in Rule 69 d. The general nature of the plans to be made effective upon a Second Alert shall be reported to and subject to review and approval by the Air Pollution Control Board.

All plans and programs of action to make effective the procedures prescribed in Rule 69, paragraphs (c) and (d), shall be consistent with and designed to accomplish the purposes, and shall be subject to the conditions and limitations, set forth in said paragraphs (c) and (d).

The Air Pollution Control Officer shall give, or cause to be given, wide publicity in regard to plans for action to be applicable under Rule 69, paragraphs (c) and (d), in order that all persons within the district shall be able to understand and be prepared to render compliance therewith in the event of the sounding of a Second Alert.

(8.0) RULE 66. DECLARATION OF ALERTS.

The Air Pollution Control Officer shall declare the appropriate "Alert" whenever the concentration of any air pollution contaminant has been verified to have reached the standards set forth in Rule 67.

(8.0) RULE 67. ALERT STAGES FOR TOXIC AIR POLLUTANTS.
(In parts per million of air)

	First Alert	Second Alert	Third Alert
Carbon Monoxide*	100	200	300
Nitrogen Oxides*	3	5	10
Sulfur Oxides*	3	5	10
Ozone*	0.5	1.0	1.5

* How measured: The concentrations of air contaminants shall be measured in accordance with the procedures and recommendations established by the Air Resources Board.

(8.0) RULE 68. FIRST ALERT ACTION.

This is a warning alert and shall be called declared whenever the concentration of any contaminant has been verified to have reached the standards for the "first alert" set forth in Rule 67. The following action shall be taken upon the calling of the First Alert:

(a) A person shall not burn any combustible refuse at any location in an open fire.

(b) Any person operating or maintaining any industrial, commercial or business establishment other than power plants or heating plants essential to health or safety, which establishments emit hydrocarbons or any of the contaminants named in Rule 67, and any person operating any private noncommercial vehicle, shall, during the First Alert period, take the necessary preliminary steps to the action required should a Second Alert be declared.

(c) The Air Pollution Control Officer shall, by the use of all appropriate mass media of communications, request the public to stop all unessential use of vehicles and to operate all privately owned vehicles on a pool basis, and shall request all employers to activate employee car pools.

(d) When, after the declaration of the First Alert it appears to the Air Pollution Control Office that the concentration of any contaminants in all or any portion of the basins is increasing in such a manner that a Second Alert is likely to be called, he shall take the following actions:

(1) Notify the Emergency Action Committee and request advice on actions to be taken.

(2) Give all possible notice to the public by all mass media of communication that a Second Alert may be called.

(8.0) RULE 69. SECOND ALERT.

This is a preliminary health hazard alert and shall be declared when an air contaminant has been verified to have reached the standards set forth for the "Second Alert" in Rule 67.

The following action shall be taken upon the calling of the Second Alert:

(a) The action set forth in Rule 68, and

(b) The Emergency Action Committee and the Air Pollution Control Board, if not already activated, shall be called into session and shall remain in session or reconvene from time to time as directed by the Air Pollution Control Officer to study all pertinent information relating to the emergency and to recommend to the Air Pollution Control Officer actions to be taken from time to time as conditions change.

(c) The Air Pollution Control Officer shall make effective, upon notice the program of action to be taken as previously developed pursuant to Rule 65, paragraph b and to carry out the policy stated therein.

Pursuant to this alert, the Air Pollution Control Officer may impose limitations as to the general operation of vehicles as provided in Rule 65, permitting limited operation essential to accomodate industry, business, public utility and other services as may be necessary in the public welfare.

(d) In the event the control measures made effective under paragraph c above prove to be inadequate to control the increase in the concentration of air contaminants, the Air Pollution Control Officer, with the concurrence of the Air Pollution Control Board shall take such steps as he may deem necessary to assure adequate control of existing air contaminants and to protect the health and safety of the public, but, if possible, without employing such drastic remedial measures as to completely disrupt the economic life of the community or to result in irreparable injury to any form of production, manufacture or business.

The Air Pollution Control Officer may, with the concurrence of the Air Pollution Control Board, order the closing of any industrial, commercial or business establishment and stop all vehicular traffic, except authorized emergency vehicles as defined in the California Vehicle Code, vehicles used in public transportation and vehicles the operation of which is necessary for the protection of the health

and welfare of the public, if, in the opinion of the Air Pollution Control Officer, the continued operation of such establishment or vehicle contributes to the further concentration of any air contaminant, the concentration of which caused the declaration of the "alert".

The Air Pollution Control Officer, during a Second Alert, shall keep the public suitably informed of all significant changes in the concentration of toxic air contaminants.

(e) In the event that the Air Pollution Control Officer determines that the public health and safety is in danger, the Emergency Action Committee and the Air Pollution Control Board may take any action authorized by this rule with less than a quorum present. A majority vote of the members present is required for any such action.

(8.0) RULE 70. THIRD ALERT.

This is a dangerous health hazard alert and shall be declared when an air contaminant has been verified to have reached the standards set forth for the "Third Alert" in Rule 67.

The following action shall be taken upon the calling of the Third Alert:

(a) The actions set forth in Rules 68 and 69, and

(b) If it appears that the steps taken by the Air Pollution Control Officer will be inadequate to cope with the emergency, the Air Pollution Control Board shall request the Governor to declare that a state of emergency exists and to take appropriate actions as set forth in the California Disaster Act.

(8.0) RULE 71. END OF ALERT.

The Air Pollution Control Officer shall declare the termination of the appropriate alert whenever the concentration of an air contaminant which caused the declaration of such alert has been verified to have fallen below the standards set forth in Rule 67 for the calling of such alert and the available scientific and meteorological data indicates that the concentration of such air contaminant will not immediately increase again so as to reach the standards set forth for such alert in Rule 67.

(8.0) RULE 73. EMERGENCY ACTION COMMITTEE.

An Emergency Action Committee shall be appointed by the Air Pollution Control Board. The committee shall be composed of ten appointed members and of these members two shall be experts with scientific training or knowledge in air pollution matters, two shall be licensed physicians, two

shall be representatives of industry, two shall be representatives of law enforcement, and two shall be members of the public at large.

The County Health Officer, the Sheriff, and the County Counsel shall be ex-officio members of the Committee. In the absence of an ex-officio member, his deputy may act for him.

The term of appointment of appointed members shall be two years.

The duties of the Emergency Action Committee shall be to meet with the Air Pollution Control Officer when called into session, to evaluate data, and to advise the Air Pollution Control Officer as to the appropriate action to be taken when the concentration of any of the contaminants set forth in Rule 67 has been verified to be approaching the standards set forth in Rule 67 for a Second Alert.

The Committee shall meet when called into session and not less than every three months

(2.0) RULE 74. VIOLATIONS.

Whenever, in these rules and regulations, or in any resolutions or orders promulgated or adopted pursuant to these rules and regulations, any act is prohibited or made or declared to be unlawful or a misdemeanor where no specific penalty is provided for, the violations of any such provisions of these rules and regulations, shall be punished by a fine not exceeding $500.00 or imprisonment for a time not exceeding six months or for both such fine and imprisonment.

Every day any violation of these rules and regulation, or any resolutions or orders adopted pursuant to these rules and regulations, shall continue, shall constitute a separate offense. Punishment of any such violations as a misdemeanor shall not preclude the District from exercising any other legal remedies it may have.

(15.0) RULE 75. ENFORCEMENT.

The provisions of these rules and regulations shall be enforced by the Air Pollution Control Officer and his assistants and deputies.